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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

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15 Before this Court is the Report and Recommendation of United States Magistrate  
16 Judge (#16, filed March 5, 2008), entered by the Honorable Robert J. Johnston, regarding Plaintiffs'  
17 failure to appear at hearings as ordered, and the frivolous nature of the claims. An objection was  
18 filed in the form of a Motion to reconsider Courts Order and Grant Plaintiffs Request (#17, filed  
19 March 7, 2008), to Magistrate Judge Johnston's Report and Recommendation of United States  
20 Magistrate Judge in accordance with Local Rule IB 3-2 of the Rules of Practice of the United States  
21 District Court for the District of Nevada. The defendants have yet to be served by the Complaint or  
22 Plaintiffs' motion. Accordingly, no opposition has been filed to Plaintiffs' motion. The matter was  
23 submitted for consideration.

24 The court has conducted a *de novo* review of the record in this case in accordance  
25 with 28 U.S.C. §636(b)(1)(B) and (C) and Local Rule IB 3-2 and has read Plaintiffs' Motion,  
26 finding it as frivolous as the Complaint. Accordingly, the Court determines that the Report and

1 Recommendation of Magistrate Judge Johnston should be accepted and adopted.

2 IT IS THEREFORE ORDERED that Magistrate Judge's Report and Recommen-  
3 dation (#16) is AFFIRMED and ADOPTED and this case is DISMISSED with prejudice.

4 IT IS FURTHER ORDERED that Plaintiffs' Motion to Reconsider Courts Order and  
5 Grant Plaintiffs' Request (#17) is denied.

6 Dated: March 25, 2008.

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9 ROGER L. HUNT  
Chief U.S. District Judge

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